DISCUSSION OF THE AMENDMENT

Due to the length of the specification herein, Applicants will cite to the paragraph number of the published patent application (PG Pub) of the present application, i.e., US 2006/0093541, when discussing the application description, both in this section and in the Remarks section, *infra*, rather than to page and line of the specification as filed.

Claim 1 has been amended by incorporating the subject matter of Claim 5 therein; Claims 3-5 have been canceled..

Claim 7 has been amended by deleting "preferably . . ." language.

New Claims 22 and 23 have been added. Claim 22 claims the subject matter deleted from Claim 7. Claim 23 is supported by the first entry in the table at paragraph [0014] of the specification.

No new matter is believed to have been added by the above amendment. Claims 1, 2, 6-17 and 19-23 are now pending in the application.

REMARKS

The rejection of Claims 1-7, 16-17 and 19-21 under 35 U.S.C. § 103(a) as unpatentable over EP 0983966, by its equivalent US 6,268,424 (Blume et al) in view of US 5,800,608 (Bomal et al), is respectfully traversed.

Blume et al is described in the specification herein at paragraph [0005]. As described therein, and as can be confirmed in Blume et al, the maximum CTAB surface area of Blume et al's precipitated silica containing alumina is 139 m^2/g. Blume et al actually prefers a maximum CTAB surface area of 130 m^2/g (column 2, line 46).

Bomal et al discloses a precipitated silica containing alumina having, *inter alia*, a CTAB surface area of between 140 and 200 m^2/g and a BET surface area of between 140 and 200 m^2/g (column 8, lines 11-16). The BET and CTAB surface areas appear to roughly similar numerically. Indeed, Bomal et al disclose very preferably a BET/CTAB surface ratio of between 1.0 and 1.2 (column 8, lines 47-50). Indeed, the exemplified silicas, as shown in Table 1 therein (bottom of columns 15-16) have a BET/CTAB surface ratio within that range. Bomal et al discloses nothing with regard to the modified Sears number V_2 of their precipitated silica.

The Examiner holds that it would have been obvious to have employed the CTAB of Bomal et al to the precipitated silica of the composition of Blume et al, relying on Bomal et al's disclosure that their precipitated silica has excellent dispersibility and very satisfactory reinforcing properties (Abstract).

In reply, the properties relied on by the Examiner in Bomal et al are disclosed for the precipitated silica *per se*, not because of the CTAB surface area range alone. Indeed, such improved dispersibility and reinforcing properties in rubber composition are also a benefit in Blume et al, as confirmed by the data therein for Examples 10 and 11 thereof (column 12, line 30 through column 13, line 37). Indeed, without the present disclosure as a guide, one of

ordinary skill in the art would have no motivation to modify the CTAB surface area of Blume et al to be greater than the disclosed maximum therein of 139 m^2/g, especially given the preference therein of a maximum of 130 m^2/g. In addition, even if Bomal et al were combined with Blume et al, the result would still not be the presently-claimed invention since Bomal et al neither discloses nor suggests a BET/CTAB surface ratio as high as the minimum of 1.33 of the above-amended claims. Since the CTAB and BET/CTAB surface ratio values are obviously interrelated, one skilled in the art could not pick one value while ignoring the other.

For all the above reasons, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 19-20 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. The rejection is not understood since the metes and bounds of Claims 19 and 20 are clear. Indeed, Claims 19 and 20 are analogous to Claims 16 and 17, respectively, but depend on Claim 8. Accordingly, it is respectfully requested that this rejection be withdrawn.

Applicants respectfully call the Examiner's attention to the Information Disclosure Statement (IDS) filed March 25, 2009. The Examiner is respectfully requested to initial the Form PTO 1449 submitted therewith, and include a copy thereof with the next Office communication.

All of the presently-pending and active claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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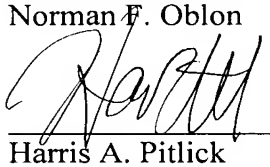
Norman F. Oblon



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